

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF CALIFORNIA

SPY OPTIC, INC., a California corporation,

Plaintiff

vs.

WEST COAST DEALS, INC., a California  
corporation doing business as  
WWW.HBSUNGLASSCOMPANY.COM;  
and DOES 1 through 5, inclusive

Defendants

AND RELATED COUNTERCLAIMS

Case No. 08CV0384 IEG RBB

**ORDER GRANTING FINAL  
CONSENT JUDGMENT AND  
PERMANENT INJUNCTION  
AGAINST DEFENDANT, WEST  
COAST DEALS, INC. DBA  
WWW.HBSUNGLASSCOMPANY.  
COM**

This case having come on before this Court upon the pleadings, and it being represented to the court that Plaintiff Spy Optic, Inc. ("SPY") and Defendant West Coast Deals, Inc. dba [www.hbsunglasscompany.com](http://www.hbsunglasscompany.com) ("WEST COAST") have settled their differences with respect to the matters in dispute by a Settlement Agreement. Upon consent by joint motion of SPY and its attorneys, and WEST COAST and its attorneys, and good cause having been shown:

1 IT IS HEREBY ORDERED, ADJUDICATED AND DECREED:

- 2 1. This Court has jurisdiction over these parties and the subject matter  
3 herein.
- 4 2. Venue is proper in this judicial district.
- 5 3. Plaintiff, SPY is a California corporation having its principal place of  
6 business located at 2070 Las Palmas Drive, Carlsbad, California 92009.
- 7 4. Defendant, WEST COAST, is a California corporation having its  
8 principal place of business at 18685-A Main Street, Huntington Beach,  
9 California 92648.
- 10 5. WEST COAST acknowledges that Plaintiff SPY's U.S. Design Patent  
11 Nos. D534,573, D557,731, and D557,730 (hereinafter "the SPY  
12 PATENTS") issued on January 2, 2007, December 18, 2007, and  
13 December 18, 2007 respectively, describing and claiming the design  
14 entitled "Sunglass" are valid and enforceable and have been non-  
15 willfully infringed by WEST COAST and WEST COAST agrees it does  
16 not contest the validity and/or the enforceability of said SPY PATENTS.
- 17 6. WEST COAST agrees that it shall not infringe, in the future, any of the  
18 said SPY PATENTS and that it shall not knowingly aid, or abet, or  
19 contribute to, any other third parties infringing the said SPY PATENTS.
- 20 7. WEST COAST, its officers, directors, principals, agents, servants,  
21 employees, successors, assigns, and all those in active concert or  
22 participation with them who receive actual knowledge of this judgment  
23 by personal service or otherwise, are hereby permanently enjoined and  
24 restrained from making, importing, using, or selling any sunglass  
25 products that infringe the said SPY PATENTS during their term without  
26 license or other authority from SPY and from offering or advertising to  
27 do so and from knowingly aiding or abetting in any way or inducing or  
28 contributing to the infringement of said SPY PATENTS.

